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10/578,606	05/05/2006	Andrew Thomas Busey	104128-213401/US	2371
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/578,606

Applicant(s)

BUSEY, ANDREW THOMAS

Examiner

Philip B. Tran

Art Unit

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to Amendment filed 13 July 2009. Claims 1, 8, 15 and 24 have been amended. Claims 26-27 have been newly added. Therefore, claims 1-27 are pending for further examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The analysis under 35 U.S.C. 112, first paragraph, requires that the scope of protection sought be supported by the specification disclosure. The pertinent inquiries include determining (1) whether the subject matter defined in the claims is described in the specification.

(1) Claims 1, 8, 15 and 24 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The "invention" for the purpose of the first paragraph analysis is defined by the claims. The description requirement is simply that the claimed subject matter must be described in the specification. The function of the description requirement is to ensure that the applicant had possession of the invention on the filing date of the application. The application need not describe the claim limitations exactly, but must be sufficiently

clear for one of ordinary skill in the art to recognize that the applicant's invention encompasses the recited limitations. The description requirement is not met if the application does not expressly or inherently disclose the claimed invention.

Specification does not explicitly describe nor is sufficiently clear for one of ordinary skill in art to recognize the following steps as recited in claims 1, 8, 15 and 24:

- **receiving code instructions from a user terminal to store an excerpt of information from a second storage medium maintained at a second remote server (claim 1).**
- **receiving code instructions from a user terminal to store an excerpt of information from a second storage medium maintained at a second computer device (claim 8).**
- **receiving code instructions from a user terminal to store an excerpt of information from a second storage medium maintained at a second computer (claim 15).**
- **at a computing device, receiving code instructions from a user terminal to store an excerpt of information about one or more websites from a first storage medium maintained at a first remote server (claim 24).**

Applicant indicates different paragraphs [0035, 0036, 0058 & 0073]. It is unclear how this quoted paragraphs of the present specification can be equated with the claimed limitations as shown above in claims 1, 8, 15 and 24.

Therefore, claims 1, 8, 15 and 24 are unclear that the one ordinarily skilled in the art cannot recognize the encompassed claimed limitations.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 5, 16 and 19 recite the limitation "the information handling system" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 8, 15 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris, U.S. Pat. No. 7,451,185 in view of Johns et al (Hereafter, Johns), U.S. Pat. Application Pub. No. US 2005/0097173 A1.

Regarding claim 1, Morris teaches a method for sharing information through a first remote server having a first storage medium, the method comprising: receiving code instructions from a user terminal to store an excerpt of information from a second storage medium maintained at a second remote server (i.e., receiving digital images uploaded by a first user or sharing websites by providing a link to a resource such as URL) [see Col. 3, Lines 1-64].

Morris further teaches user A can invite user B to view the album (folder) by providing the link to user B [see Morris, Col. 3, Lines 49-64]. Morris does not explicitly teach automatically storing the excerpt, in an XML format, in a folder on the first storage medium maintained at the first remote server wherein the folder is selected from a group consisting of a group folder and a public folder, the group folder is accessible by one or more second users specified by the first user as a group, the public folder is accessible to all users subscribed to the public folder. However, Johns teaches XML-based scheme [see Johns, Paragraph 0049] and digital images are stored in folders on data base of the service provider [see Johns, Paragraphs 0011 & 0015 & 0017 & 0021 & 0029-0030] and for group type of folder, the owner of the folder decides to invite 1 or many individuals to subscribe to the folder and for public type of folder, the owner of the folder (album) has decided that anyone can view the folder [see Johns, Paragraphs 0030-0032]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Johns into the teaching of Morris in order to efficiently manage the accessibilities of the users to certain excerpt information in different categorized folder locations.

Claim 8 is rejected under the same rationale set forth above to claim 1.

Claim 15 is rejected under the same rationale set forth above to claim 1.

Regarding claim 23, Morris further teaches album as folder for sharing websites and providing the link to allow other users to view album [see Morris, Col. 3, Lines 49-

64]. Morris does not explicitly teaches in response to a search term query, providing search results of a list of public folders with information about one or more websites comprising the queried search term. However, Johns teaches providing search results of a list of public folders with information [see Johns, Paragraphs 0013 & 0015 & 0032 & 0050 & 0055-0056]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Johns into the teaching of Morris in order to efficiently manage the accessibilities of the users to certain excerpt information in different categorized folder locations as shown above in claim 1.

Claim 24 is rejected under the same rationale set forth above to claim 1.

Claim 25 is rejected under the same rationale set forth above to claim 23.

Regarding claims 26-27, Morris further teaches the method of claim 1, further comprising receiving, from the user terminal, a web page address to retrieve the excerpt of information from the second storage device maintained at the second remote server, prior to receiving code instructions from the user terminal to store the excerpt of information and in response to a search term query, providing search results of a list of web pages comprising the queried search term, and receiving, from the user terminal, a selection of a web page from the list of web pages, prior to receiving code instructions from the user terminal to store the excerpt of information (i.e., sharing websites by providing link to resource stored in album (folder)) [see Col. 3, Lines 1-64].

7. Claims 2-7, 9-14 and 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris, U.S. Pat. No. 7,451,185 in view of Johns et al (Hereafter, Johns), U.S. Pat. Application Pub. No. US 2005/0097173 A1 and further in view of Brewster et al (Hereafter, Brewster), U.S. Pat. Application Pub. No. US 2002/0147847 A1.

Regarding claim 2, Morris and Johns do not explicitly teach the method of claim 1, wherein the information handling system is a first information handling system, wherein the excerpt has a non-XML format, and comprising in response to the excerpt, automatically translating the excerpt from the non-XML format into the XML format, so that the translated excerpt is compatible for operation with a second information handling system of at least one of the second users. However, Brewster, in the same field of sharing access to document over the network endeavor, discloses automatically converting received document into XML document before sending to a second user [see Brewster, Fig. 2 and Paragraphs 0004-0005 & 0017 and Page 3, Right Col., Lines 22-24]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Brewster into the teaching of Morris and Johns in order to efficiently provide appropriate viewable formats for different users of different type of devices.

Regarding claims 3-4, Morris and Johns do not explicitly teach the method of claim 2, wherein the stored excerpt is the translated excerpt and wherein the output excerpt is the translated excerpt. However, Brewster, in the same field of sharing

access to document over the network endeavor, discloses the stored excerpt is the translated excerpt and the output excerpt is the translated excerpt [see Brewster, Fig. 2 and Paragraphs 0004-0005]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Brewster into the teaching of Morris and Johns for the same reason set forth above to claim 2.

Regarding claim 5, Morris and Johns do not explicitly teach the method of claim 1, wherein the information handling system is a first information handling system, wherein the excerpt has an alternate XML format, and comprising in response to the excerpt, automatically translating the excerpt from the alternate XML format into a generic XML format, so that the translated excerpt is compatible for operation with a second information handling system of at least one of the second users. However, Brewster, in the same field of sharing access to document over the network endeavor, discloses automatically translating the excerpt from the alternate XML format into a generic XML format [see Brewster, Fig. 2 and Paragraphs 0005-0006 & 0017-0021]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Brewster into the teaching of Morris and Johns in order to efficiently provide appropriate viewable formats for different users of different type of devices.

Regarding claims 6-7, Morris and Johns do not explicitly teach the method of claim 5, wherein the stored excerpt is the translated excerpt and wherein the output excerpt is the translated excerpt. However, Brewster, in the same field of sharing access to document over the network endeavor, discloses the stored excerpt is the translated excerpt and the output excerpt is the translated excerpt [see Brewster, Fig. 2 and Paragraphs 0004-0005]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Brewster into the teaching of Morris and Johns for the same reason set forth above to claim 5.

Claims 9-14 are rejected under the same rationale set forth above to claims 2-7.

Claims 16-21 are rejected under the same rationale set forth above to claims 2-7.

Regarding claim 22, Morris and Johns does not explicitly teach the method of claim 1 comprising, in the XML format, automatically outputting the excerpt to one or more second users preselected by the first user. However, Brewster, in the same field of sharing access to document over the network endeavor, discloses automatically e-mailing the data contained within the XML document to a recipient indicated by the first user when submitting the first document wherein the recipient is a second user [see Brewster, Fig. 2 and Page 3, Right Col., Lines 30-34]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Brewster into the teaching of Morris and Johns in order to efficiently provide appropriate viewable formats for different users of different type of devices.

Response to Arguments

8. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.
9. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip B Tran/
Primary Examiner, Art Unit 2455
August 02, 2009